



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,683	06/30/2000	Jan-Dieter Spalink	FOV0002-US	8443

26108 7590 07/28/2003

DANIELS DANIELS & VERDONIK, P.A.  
SUITE 200 GENERATION PLAZA  
1822 N.C. HIGHWAY 54 EAST  
DURHAM, NC 27713

EXAMINER
----------

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
----------	--------------

2157

8

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/606,683

Applicant(s)

SPALINK ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 30 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: reference 107 in Fig. 1, reference 204 in Fig. 2, references 301-303 in Fig. 3A, and references 304-308 in Fig. 3B. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "the group" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

3. Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: claim 8 includes a

graphical user interface (GUI) but doesn't explain how the GUI is used in the classification process of the lists of network resource locators.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Trauring.

As per claims 1 and 2, Mills teaches a method of classifying information, the method including: receiving a list of network resource locators (see col. 24 lines 38-43); sending the network resource locator to a web-coding workstation (see col. 24 lines 38-43); receiving a vote from the web-coding workstation (see col. 25 Lines 18-20); and storing the received vote in a database (see col. 25 Lines 21-27). Mills doesn't teach a voting system for determining the classification of web pages contained on a computer network. Trauring teaches assigning a classification according to a voting system (See col. 12 lines 28-48). One of the ordinary skills in the art at the time of the invention would create Mill's classification database of websites contained on a computer network using Trauring's voting method to provide more accurate classification of websites using a voting system.

As per claims 3 and 4, Trauring teaches a single level voting system wherein the classification is assigned to a network resource locator upon receipt of single vote or plurality of votes (see col. 12 lines 28-48).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Trauring and further in view of Chisholm. The combined teachings of Mills and Trauring do not teach the limitations of claim 5. However, Chisholm teaches a multi-level voting system (see Fig. 3 and col. 3 lines 8-15). One of the ordinary skills in the art at the time of the invention would classify network resource locators into categories according to Chisholm's multi-level voting system using Mills' classification method to provide more accurate classification of websites using multiple level of votes to determine more precise classification of network resource locators.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Trauring and further in view of Tso et al. The combined teachings of Mills and Trauring do not teach the limitations of claim 6. Tso et al however teach multiple-level voting system including a first level, a second level, and a third level (see col. 5 lines 60-67). The threshold of the majority vote may be set to three out of four votes, two out of three votes, or one out of one vote. One of the ordinary skills in the art at the time of the invention would classify network resource locators into categories according to Tso et al's majority vote over claim 5 classification system to determine more precise classification properties of given list of network resource locators.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Trauring and further in view of Hunt. Mills and Trauring do not teach the limitations of

Art Unit: 2157

claim 7. Hunt teaches a database consisting of a flat file, binary tree, a relational database, or an object-oriented database file. One of the ordinary skills in the art at the time of the invention would use Hunt's forms of databases over claim 1 classification system to use a variety of stored lists of network resource locators to be classified.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Mocek et al and further in view of Lin. Mills teaches a system for classifying information available on a computer network, the system including: A datastore component storing the classification information for a plurality of network resource locators (see col. 25 Lines 21-27) and a classification processor that receives the list from the list generator and determines a classification for each information repository of the list of network resource locators (see abstract and col. 24 lines 66-67 and col. 25 lines 6,7 and lines 18-26). Mills does not teach a resource generator that creates a list of resource locators and doesn't teach a graphical user interface. Mocek et al teach a graphical user interface (GUI) component (see col.1 lines 8-12 and 43-49). Lin teaches a resource generator component that creates a list of network resource locators (see abstract and col. 2 lines 45-55). Lin teaches shopping bot that automatically generates a list of websites based on keywords entered by users. The shopping bot generates agents, which can be viewed as users that access the list of websites and categorize the list according to their content. One of the ordinary skills in the art at the time of the invention would classify information available on a computer network and store classification information using Lin's resource generator and using Mocek et al graphical user interface tool over Mills' classification method to provide a categorized list of

network resource locators that are generated by the resource generator visited by unique users.

9. Claim 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Mocek et al in view of Lin and further in view of Peercy et al. Mills, Mocek et al and Lin don't teach the limitations of claims 9 and 10. However Peercy et al teach the resource generator component creates the list of network resource locators (see abstract and fig. 2) and sorted by the number of unique users visiting the network resource locator (see abstract and fig. 2). One of the ordinary skills in the art at the time of the invention would classify information available on a computer network and store classification information using Lin's resource list generator that are sorted using Peercy et al's sorting method and determine the classification properties of the given list using Mills' classification method to categorize the lists of websites that are most frequently visited by users and that represent the area of interest of these unique users.

10. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Mocek et al in view of Lin and further in view of Trauring. Mills, Mocek et al and Lin don't teach the limitations of claims 11 and 12. However, Trauring teaches a classification processor component that determines a classification for each of the network resource locators using a voting system (see col. 12 lines 28-48) that uses a single level voting system (see col. 12 lines 28-48). One of the ordinary skill in the art at the time of the invention would classify network resource locators and assign a classification according to Trauring's single level voting system to provide more

accurate classification of websites using a single or multiple votes to determine the classification of a website.

11. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Mocek et al in view of Lin and further in view of Chisholm. Mills, Mocek et al and Lin don't teach the limitations of claim 13. However, Chisholm teaches a classification processor that uses a multi-level voting system (see Fig. 3 and col. 3 lines 8-15). One of the ordinary skills in the art at the time of the invention would classify network resource locators into categories according to Chisholm's multi-level voting system to provide more accurate classification of websites using multiple level of votes to determine the classification of a website.

12. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mills in view of Mocek et al in view of Lin and further in view of Tso et al. Mills, Mocek et al and Lin don't teach the limitations of claim 14. Tso et al however teach multiple-level voting system including a first level, a second level, and a third level (see col. 5 lines 60-67). The threshold of the majority vote may be set to three out of four votes, two out of three votes, or one out of one vote. One of the ordinary skills in the art at the time of the invention would classify network resource locators into categories according to Tso et al's majority vote in Chisholm's multi-level voting system over Miller's classification method to determine more precise classification properties of given list of network resource locators.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein El-chanti whose telephone number is (703) 305-4652. The examiner can normally be reached on Monday through Thursday from 8:00 am. – 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9679 for regular communications and (703)746-9679 for After Final communications.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Hussein El-chanti Fax #	(703) 746-9679
After Final Rejection Fax #	(703) 746-7238
Official Fax #	(703) 746-7239
Customer Service Fax #	(703) 746-7240

Hussein El-chanti

Date: 07/21/2003



**SALEH NAJJAR**  
**PRIMARY EXAMINER**